

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
CONNIE LOUISE COOPER) CASE NUMBER A17-71583-WLH
)
DEBTOR)

MOTION TO DISMISS

COMES NOW Nancy J. Whaley, Standing Chapter 13 Trustee, in the above styled case, and respectfully shows the Court as follows:

1.

Debtor filed a petition for relief under Chapter 13 of Title 11.

2.

Debtor's Plan will exceed sixty months by three (3) months in violation of 11 U.S.C. 1322(d)(2)(C) and 11 U.S.C. 1307(c).

3.

Debtor has failed to tender all plan payments due in accordance with the confirmed plan. As of 8/20/2020 the Trustee received a total of \$6,100.00. The Trustee's records indicate the amount delinquent is \$500.00. A receipt history is attached and marked exhibit A.

Wherefore, the Trustee prays that this case be dismissed or in alternative that the Debtor proposes a modification to meet the requirements of the confirmed plan that ensures that the plan is completed within the allowable time.

This the 24th day of August, 2020.

/s/ _____
Ryan J. Williams
Attorney for the Chapter 13 Trustee
State Bar No. 940874
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

EXHIBIT "A"

CASE NO: A17-71583-WLH
CONNIE LOUISE COOPER

08/20/2020

RECEIPT HISTORY OVER THE LAST 12 MONTHS

<u>DATE</u>	<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
May 19, 2020	ACHEMP	G65 2006940508W-THE A	\$100.00
May 04, 2020	ACHEMP	G65 2006940423W-THE A	\$100.00
April 17, 2020	ACHEMP	G65 2006940408W-THE A	\$100.00
April 01, 2020	ACHEMP	G65 2006940323W-THE A	\$100.00
March 17, 2020	ACHEMP	G65 2006940306W-THE A	\$100.00
March 03, 2020	ACHEMP	G65 2006940221W-THE A	\$100.00
February 19, 2020	ACHEMP	G65 2006940207W-THE A	\$100.00
February 03, 2020	ACHEMP	G65 2006940123W-THE A	\$100.00
January 17, 2020	ACHEMP	G65 2006940108W-THE A	\$100.00
January 02, 2020	ACHEMP	G65 2006941223W-THE A	\$100.00
December 17, 2019	ACHEMP	G65 2006941206W-THE A	\$100.00
December 03, 2019	ACHEMP	G65 2006941122W-THE A	\$100.00
November 19, 2019	ACHEMP	G65 2006941108W-THE A	\$100.00
November 01, 2019	ACHEMP	G65 2006941023W-THE A	\$100.00
October 17, 2019	ACHEMP	G65 2006941008W-THE A	\$100.00
October 02, 2019	ACHEMP	G65 2006940923W-THE A	\$100.00
September 17, 2019	ACHEMP	G65 2006940906W-THE A	\$100.00
September 04, 2019	ACHEMP	G65 2006940823W-THE A	\$100.00
Receipt Total:			\$1,800.00

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IN RE:)	CHAPTER 13
CONNIE LOUISE COOPER)	CASE NUMBER A17-71583-WLH
)	
DEBTOR)	

NOTICE OF HEARING ON MOTION TO DISMISS CASE

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion to Dismiss and related exhibits with the Court seeking an Order of Dismissal.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **September 23, 2020 at 10:10 am in Courtroom 1403, Richard Russell Building, 75 Ted Turner Drive, S.W., Atlanta, GA. 30303.** *Given the current public health crisis, hearings may be telephonic only. Please check the "Important Information Regarding Court Operations During COVID-19 Outbreak" tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.*

Failure to appear at the hearing or failure to resolve the matter prior to the hearing may result in the dismissal of your case. You should read this motion carefully and discuss it with your attorney, if you have one in your bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the dismissal of your case, you and/or your attorney must attend the hearing unless you have settled the matter prior to the hearing.

This the 24th day of August, 2020.

/s/ _____
Ryan J. Williams
Attorney for the Chapter 13 Trustee
State Bar No. 940874
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

CERTIFICATE OF SERVICE

Case No: A17-71583-WLH

I certify that on this day I caused a copy of this Chapter 13 Trustee's Motion to Dismiss to be served via United States First Class Mail with adequate postage prepaid on the following parties at the address shown for each:

CONNIE LOUISE COOPER
1824 PENNY LANE SE
MARIETTA, GA 30067

I further certify that I have on this day electronically filed the foregoing Chapter 13 Trustee's Motion to Dismiss using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Attorney for the Debtor(s):

SLIPAKOFF & SLOMKA, PC

This the 24th day of August, 2020.

/s/ _____
Ryan J. Williams
Attorney for the Chapter 13 Trustee
State Bar No. 940874
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201